

Biggers & Ohanian, LLP**Patent Attorneys**

504 Lavaca Street, Suite 970
 Austin, Texas 78701-2856
 (512) 472-9881
 catherine@biggerlaw.com

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JAN 04 2005**FACSIMILE TRANSMITTAL SHEET****DATE:** January 4, 2005**TO:** Examiner O'Neal R. Mistry **Group Art Unit:** 2173**COMPANY:** United States Patent and Trademark Office**FACSIMILE No:** 703-872-9306**FROM:** John Biggers, Reg. No. 44,537

RE:	Response to Office Action dated 6/14/2004; Entitled: "Stateful Ad Hoc Check Box Selection"	Atty. Docket No.:
		AUS920010679US1 (016)

SERIAL No.: 10/007,155**NUMBER OF PAGES:** (Including Cover) 5**COMMENTS:** Please see attached.**Certificate of Transmission by Facsimile under 37 C.F.R. 1.8**

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Catherine Berglund
 Catherine Berglund

January 5, 2005
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PTO/SB/21 (09-04)

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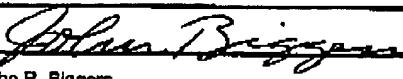
Total Number of Pages in This Submission

	Application Number	10/007,155
	Filing Date	11/08/2001
	First Named Inventor	John Hana Handy Bosma
	Art Unit	2173
	Examiner Name	Mistry, O Neal Rajan
4	Attorney Docket Number	AUS820010679US1

ENCLOSURES (Check all that apply)

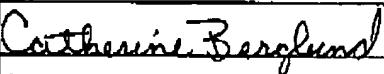
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Letter
Remarks The Commissioner is authorized to charge or credit Deposit Account No. 09-0447.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	BIGGERS & OHANIAN, LLP		
Signature			
Printed name	John R. Biggers		
Date	01/04/2005	Reg. No.	44,537

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Signature	
Typed or printed name	Catherine Berglund
Date	01/04/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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AUS920010679US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:
 John Hans Handy Bosma, *et al.*
 Serial No.: 10/007,155
 Filed: November 8, 2001
 Title: Stateful Ad Hoc Check Box Selection

Mail Stop: Amendment
 Commissioner for Patents
 U.S. Patent and Trademark Office
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

§ Group Art Unit: 2173
 § Examiner: Mistry, O'Neal Rajan
 § Atty Docket No.: AUS920010679US1
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 Commissioner for Patents, Washington, DC 20231 on this date:

January 5, 2005
 Date
Catherine Berglund
 Catherine Berglund

RESPONSE TO OFFICE ACTION DATED NOVEMBER 18, 2004

Dear Sir:

Claims 1-11 are in the case.

ALLOWABLE SUBJECT MATTER

Applicants acknowledge with gratitude the Examiner's conclusion in the Office Action of November 18, 2004, that the claims in the present application are allowable over the prior art.

DOUBLE PATENTING

Claims 1-7 in the present application are rejected for obviousness-type double patenting over claims 1-7 of U.S. Patent No. 6,639,612. In response to the double patenting rejection in the Office Action dated November 18, 2004, Applicants herewith submit a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321 for the present application.

AUS920010679US1

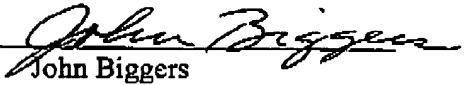
CONCLUSION

Applicants respectfully propose that the accompanying Terminal Disclaimer cures all rejections of claims 1-7 in the present application. Applicants therefore request early allowance of the present application.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Respectfully submitted,

Date: January 4, 2005

By: 
John Biggers
Reg. No. 44,537
Biggers & Ohanian, LLP
504 Lavaca Street, Suite 970
Austin, Texas 78701
Tel. (512) 472-9881
Fax (512) 472-9887
ATTORNEY FOR APPLICANTS

PTO/SB/26 (08-03)

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT	Docket Number (Optional) AUS920010679US1
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In re Application of: John Hans Handy Bosma, et al.

Application No.: 10/007,155

Filed: November 8, 2001

For: Stateful Ad Hoc Check Box Selection

The owner*, International Business Machine, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application.